

MEMO ENDORSED

LAW OFFICES OF
JEFFREY S. STEPHENS, P.C.
14 DUNCAN DRIVE
P.O. BOX 11177

ADMITTED IN NY & CT

GREENWICH, CONNECTICUT 06831-1177

FASCIMILE
(203) 531-1417

(203) 531-5800

543 MILTON ROAD
P.O. BOX 223
RYE, NEW YORK 10580

August 11, 2008

Hon. James C. Francis IV, Magistrate Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
Room 190
New York, New York 10007

USDS SDNY
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Re: Easytex Corporation v. Peter & Frank of NY Corp., et al
ECF Case No. 07 CV 3907 (BSJ) (JCF)

Dear Judge Francis:

As counsel for Defendant Westy Storage in the referenced matter, I am writing to request a ninety (90) day extension of the discovery period, presently scheduled to terminate August 29, 2008. The reason for this request is that several defendants in this lawsuit have only recently been served, including my client, based upon Plaintiff's Amended Complaint.


In accordance with your Individual Practice Rules:

1. The original date for terminating discovery is August 29, 2008.
2. This is the first request for an extension made on behalf of my client and the other, recently joined, defendants.
3. We have made no prior requests.
4. We have consent from counsel for Plaintiff and all Defendants, except that counsel for Top Ten prefers a sixty (60) day extension and counsel for American International objects.

All counsel join in requesting a Settlement Conference before your Honor.

Thank you for your consideration of this application.

Respectfully submitted,


Jeffrey S. Stephens

JSS/eF

cc: All counsel of record

The discovery deadline is extended to October 31, 2008, and the deadline for submitting the pretrial order or any dispositive motion is extended to November 28, 2008.
SO ORDERED.
James C. Francis IV
USMJ